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22 UNITED STATES DISTRICT COURT
23
24 NORTHERN DISTRICT OF CALIFORNIA
25
26 SAN FRANCISCO DIVISION

27 GOOGLE LLC,

28 Plaintiff,

vs.

SONOS, INC.,

Defendant.

CASE NO. 3:20-cv-06754-WHA
Related to CASE NO. 3:21-cv-07559-WHA

**DECLARATION OF JAMES JUDAH IN
SUPPORT OF SONOS, INC.'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED (DKT. NO. 429)**

1 I, James Judah, declare and state as follows:

2 1. I am an attorney licensed to practice in the State of California and am admitted to
 3 practice before this Court. I am a partner at Quinn Emanuel Urquhart & Sullivan LLP representing
 4 Google LLC (“Google”) in this matter. I have personal knowledge of the matters set forth in this
 5 Declaration, and if called as a witness I would testify competently to those matters.

6 2. I make this declaration in support of Sonos, Inc.’s (“Sonos”) Administrative Motion to
 7 Consider Whether Another Party’s Material Should Be Sealed (“Administrative Motion”) (Dkt. No.
 8 429) filed in connection with Sonos’s Reply In Support of Its Motion for Leave to Amend
 9 Infringement Contentions Pursuant to Patent L.R. 3-6 (“Reply”) (Dkt. 428). If called as a witness, I
 10 could and would testify competently to the information contained herein.

11 3. Google seeks an order sealing the materials as listed below:

12 Document	13 Portions Sonos Sought to Be Filed Under Seal	14 Portions Google Seeks to Be Filed Under Seal	15 Designating Party
16 Sonos’s Reply	17 Portions 18 highlighted 19 in green	20 Portions highlighted in green	21 Google
22 Exhibit 11 to the Reply Declaration of Geoffrey Moss in Support of Sonos’s Motion for Leave to Amend Infringement Contentions Pursuant to Patent L.R. 3-6 (“Exhibit 11”)	23 Entire 24 Document	25 Portions outlined in red boxes	26 Google
27 Exhibit 12 to the Reply Declaration of Geoffrey Moss in Support of Sonos’s Motion for Leave to Amend Infringement Contentions Pursuant to Patent L.R. 3-6 (“Exhibit 12”)	28 Entire Document	Portions outlined in red boxes	Google

29 4. I understand that the Court analyzes sealing requests for motions for leave to amend
 30 infringement contentions pursuant to the “good cause” standard for non-dispositive motions. *See, e.g.*,

1 *Mediatek Inc. v. Freescale Semiconductor, Inc.*, No. 11-CV-5341 YGR, 2013 WL 10996547, at *1
 2 (N.D. Cal. May 10, 2013).

3 5. The portions of Sonos's Reply highlighted in green contain references to Google's
 4 confidential business information and trade secrets, including details regarding source code,
 5 architecture, and technical operation of Google's products. The specifics of how these functionalities
 6 operate is confidential information that Google does not share publicly. Thus, I understand that the
 7 public disclosure of such information could lead to competitive harm to Google, as competitors could
 8 use these details regarding the architecture and functionality of Google's products to gain a
 9 competitive advantage in the marketplace with respect to their competing products. Google has
 10 therefore designated this information as **HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY**
 11 and/or **HIGHLY CONFIDENTIAL—SOURCE CODE** under the protective order (Dkt. No. 92). A
 12 less restrictive alternative than sealing would not be sufficient because the information sought to be
 13 sealed is Google's confidential business information and trade secrets but has been utilized by Sonos
 14 in support of Sonos's Reply.

15 6. The portions of Exhibits 11 and 12 outlined in red boxes contain references to Google's
 16 confidential business information and trade secrets, including details regarding source code,
 17 architecture, and technical operation of Google's products. The specifics of how these functionalities
 18 operate is confidential information that Google does not share publicly. Thus, I understand that the
 19 public disclosure of such information could lead to competitive harm to Google, as competitors could
 20 use these details regarding the architecture and functionality of Google's products to gain a
 21 competitive advantage in the marketplace with respect to their competing products. Google has
 22 therefore designated this information as **HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY**
 23 and/or **HIGHLY CONFIDENTIAL—SOURCE CODE** under the protective order (Dkt. No. 92).
 24 Although Sonos's Administrative Motion sought to seal the entirety of Exhibits 11 and 12, Google
 25 only seeks to file under seal the portions outlined in red boxes. A less restrictive alternative than
 26 sealing would not be sufficient because the information sought to be sealed is Google's confidential
 27 business information and trade secrets but has been utilized by Sonos in support of Sonos's Reply.

1 I declare under penalty of perjury under the laws of the United States of America that to the
2 best of my knowledge the foregoing is true and correct. Executed on December 27, 2022, in
3 Hillsborough, California.

4 DATED: December 27, 2022

5 By: */s/ James Judah*
6 James Judah

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